

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

0.549 ACRES OF LAND, MORE OR
LESS, SITUATE IN STARR COUNTY,
STATE OF TEXAS; AND SABINO
ALVAREZ, JR., *et al.*

Defendants.

CASE NO. 7:20-CV-290

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Roland D. Ramos*
ROLAND D. RAMOS
Assistant United States Attorney
Southern District of Texas No. 3458120
Texas Bar No. 24096362
1701 W. Bus. Highway 83, Suite 600
McAllen, TX 78501
Telephone: (956) 618-8010
Facsimile: (956) 618-8016
E-mail: Roland.Ramos@usdoj.gov

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Starr County, Texas

Tract: RGV-RGC-5046

Owner: Sabino Alvarez, Jr., *et al.*

Acres: 0.549

BEING a 0.549 acre tract (23,910 square feet) parcel of land, more or less, being out of a called 3.261 acre tract, recorded in Document No. 1936-4878, Official Records of Starr County (O.R.S.C.), Texas, conveyed to the known and unknown heirs of Vidala Garcia Vda De Gonzalez and the known and unknown heirs of Ofilia Gonzalez, said tract being a part of Share 18-A, Porcion 71, Ancient Jurisdiction of Camargo, Mexico, now Starr County, Texas, said 0.549 acre tract (23,910 square feet) parcel of land being more particularly described as follows;

COMMENCING: at a point having a coordinate value of N=16665491.822, E=846906.128, said point being the northeast corner of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the northeast corner of said Share 18-A, the northwest corner of a called 2.434 acre tract, recorded in Document No's. 2015-321587 and 2006-256655, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Mark A. Perez, the northwest corner of a called 1.738 acre tract, recorded in Document No. 1936-4878, Official Records of Starr County (O.R.S.C.), Texas, conveyed to the known and unknown heirs of Donaciano Garcia and the northwest corner of a called 1.696 acre tract, recorded in Document No. 1936-4878, Official Records of Starr County (O.R.S.C.), Texas, conveyed to the known and unknown heir of Refugio Muniz De Garcia and the northwest corner of Share 17-A, Porcion 71;

THENCE: S 17°55'47" W, along the east line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the east line of said Share 18-A, the west line of said Mark A. Perez, et al tract and the west line of said Share 17-A, a distance of 80.05 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-5046-1=RGV-RGC-5047-1" for the POINT OF BEGINNING, said point having a coordinate value of N=16665415.659, E=846881.485, said point being the northeast corner of the herein described proposed acquisition tract, said point also being S 62°26'30" E, a distance of 526.40 feet from United States Corps of Engineers Control Point No. SS10-2019 ("B&F Engineering, Inc." aluminum cap in concrete);

THENCE: S 17°55'47" W, along the east line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the east line of said Share 18-A, the west line of said Mark A. Perez, et al tract and the west line of said Share 17-A, a distance of 200.92 feet to a set 5/8" rebar with a "B&F

SCHEDULE C (continued)

LEGAL DESCRIPTION

Starr County, Texas

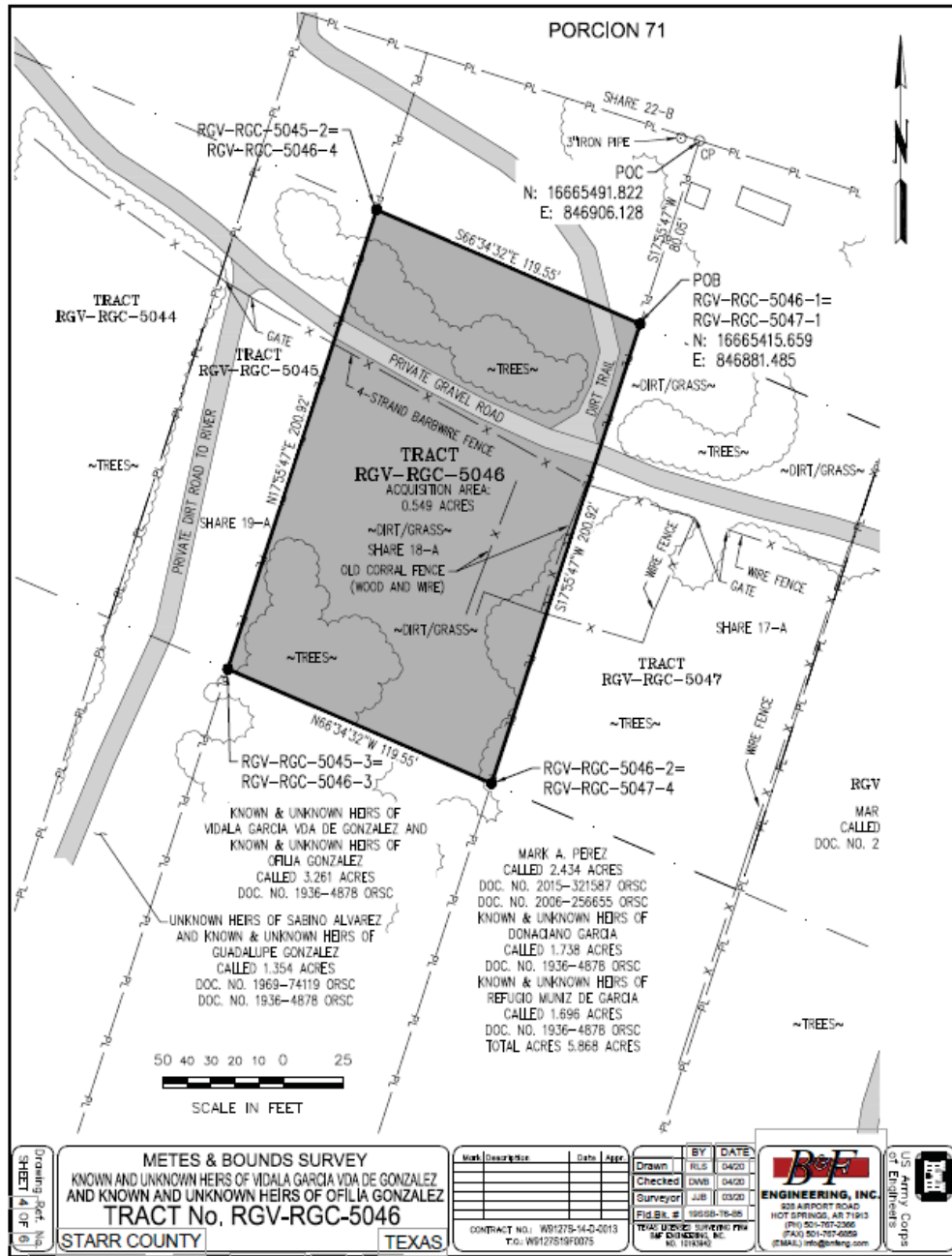
Engineering, Inc.” aluminum cap stamped “RGV-RGC-5046-2=RGV-RGC-5047-4” for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 66°34’32” W, departing the east line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the east line of said Share 18-A, the west line of said Mark A. Perez, et al tract and the west line of said Share 17-A, over and across said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract and said Share 18-A, a distance of 119.55 feet to a set 5/8” rebar with a “B&F Engineering, Inc.” aluminum cap stamped “RGV-RGC-5045-3=RGV-RGC-5046-3” for the southwest corner of the herein described proposed acquisition tract, said point being on the west line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the west line of said Share 18-A, the east line of a called 1.354 acre tract, recorded in Document No’s. 1969-74119 and 1936-4878, Official Records of Starr County (O.R.S.C.), Texas, conveyed to the unknown heirs of Sabino Alvarez and the known and unknown heirs of Guadalupe Gonzalez and the east line of Share 19-A, Porcion 71;

THENCE: N 17°55’47” E, along the west line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the west line of said Share 18-A, the east line of said unknown heirs of Sabino Alvarez, et al tract and the east line of said Share 19-A, a distance of 200.92 feet to a set 5/8” rebar with a “B&F Engineering, Inc.” aluminum cap stamped “RGV-RGC-5045-2=RGV-RGC-5046-4” for the northwest corner of the herein described proposed acquisition tract;

THENCE: S 66°34’32” E, departing the west line of said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract, the west line of said Share 18-A, the east line of said unknown heirs of Sabino Alvarez, et al tract and the east line of said Share 19-A, over and across said known and unknown heirs of Vidala Garcia Vda De Gonzalez and known and unknown heirs of Ofilia Gonzalez tract and said Share 18-A, a distance of 119.55 feet to the **POINT OF BEGINNING** and containing 0.549 acres (23,910 square feet) parcel of land, more or less.

SCHEDULE D



SCHEDULE D (continued)**MAP or PLAT****LAND TO BE CONDEMNED****LEGEND**ORSC OFFICIAL RECORDS OF
STARR COUNTYDRSC DEED RECORDS OF
STARR COUNTY

DOC. DOCUMENT

NO. NUMBER

VOL. VOLUME

PG. PAGE

POB POINT OF BEGINNING

POC POINT OF COMMENCING

● SET 5/8" REBAR W/ "B&F"
CAP AS NOTED

○ FOUND MONUMENT AS NOTED

○^{CP} COMPUTED POINT

— ACQUISITION AREA BOUNDARY



—x—x— FENCE LINE

—PL— PROPERTY LINE

DESCRIPTION	NORTHING	EASTING
RGV-RGC-5046-1=RGV-RGC-5047-1	16665415.659	846881.485
RGV-RGC-5046-2=RGV-RGC-5047-4	16665224.494	846819.631
RGV-RGC-5045-3=RGV-RGC-5046-3	16665272.019	846709.934
RGV-RGC-5045-2=RGV-RGC-5046-4	16665463.184	846771.788

GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TxDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS. SEE SURVEYORS REPORT FOR BOUNDARY AND REMAINING ACREAGE NOTES.
5. FIELD SURVEY WAS COMPLETED IN APRIL, 2020.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONESTAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON APRIL 2, 2020 (TICKET NO. 2059362327).

Drawing Ref. No. SHEET 10 OF 10	METES & BOUNDS SURVEY KNOWN AND UNKNOWN HEIRS OF VIDALA GARCIA VIDA DE GONZALEZ AND KNOWN AND UNKNOWN HEIRS OF OFILIA GONZALEZ TRACT No. RGV-RGC-5046 STARR COUNTY TEXAS		<table border="1"> <tr> <th>Mark</th> <th>Description</th> <th>Date</th> <th>Appr.</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	Mark	Description	Date	Appr.													<table border="1"> <tr> <th>BY</th> <th>DATE</th> </tr> <tr> <td>Drawn</td> <td>RPLS 04/20</td> </tr> <tr> <td>Checked</td> <td>DWB 04/20</td> </tr> <tr> <td>Surveyor</td> <td>JJB 03/20</td> </tr> <tr> <td>Fid. St. #</td> <td>195558-75-08</td> </tr> </table>	BY	DATE	Drawn	RPLS 04/20	Checked	DWB 04/20	Surveyor	JJB 03/20	Fid. St. #	195558-75-08	 B&F ENGINEERING, INC. 928 AIRPORT ROAD HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-4959 (EMAIL) info@bmfeng.com	 US Army Corps of Engineers
	Mark	Description	Date	Appr.																												
BY	DATE																															
Drawn	RPLS 04/20																															
Checked	DWB 04/20																															
Surveyor	JJB 03/20																															
Fid. St. #	195558-75-08																															
B&F PROJ. T-3688-0919		FILE NAME: RGV-RGC-5046	DATE: 4/24/20	CONTRACT NO.: W91275-14-2-0013 T.O. W9127519F0075																												

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Starr County, Texas

Tract: RGV-RGC-5046

Owner: Sabino Alvarez, Jr., *et al.*

Acres: 0.549

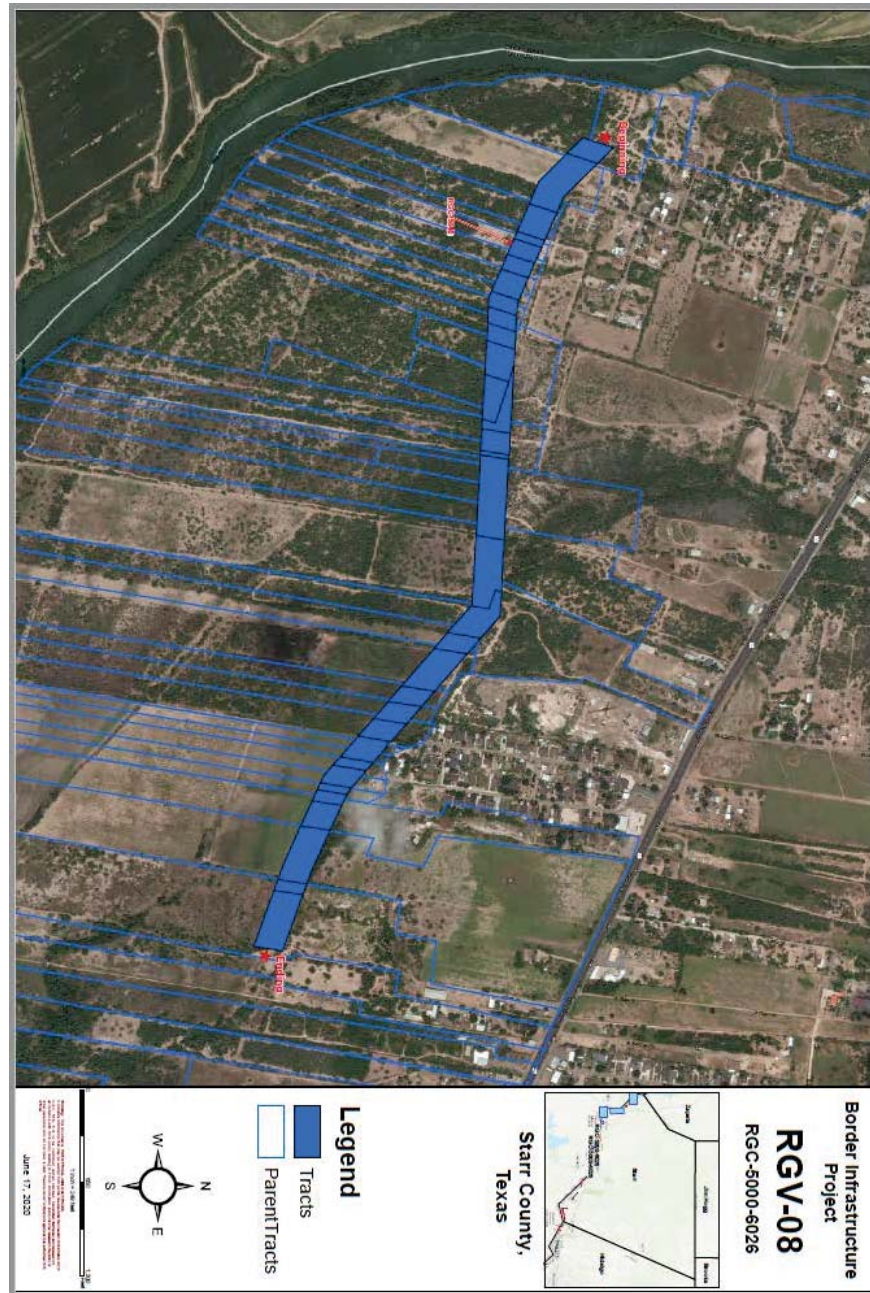
The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of land described in conveyance recorded on March 4, 1936, in Volume 88, Page 361, Document No. 1936-4878, Official Records of Starr County, Texas, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE E (continued)

ESTATE TAKEN



SCHEDULE

F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

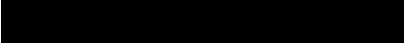




The sum estimated as just compensation for the land being taken is EIGHT THOUSAND TWO HUNDRED SIXTEEN DOLLARS AND NO/100 (\$8,216.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Sabino Alvarez, Jr. [REDACTED] Rio Grande City, Texas 78582	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Manuel Alvarez [REDACTED] Rio Grande City, Texas 78582	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Maria Guadalupe Morales Perez [REDACTED] Rio Grande City, Texas 78582	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Armandina Alvarez Longoria [REDACTED] McAllen, Texas 78501	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Marta Alvarez Gaines aka Martha Alvarez Gaines [REDACTED] Rio Grande City, Texas 78582	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Eloisa Alvarez Perez [REDACTED] Houston, Texas 77012	Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas

Magda Margot Alvarez  Rio Grande City, TX 78582	Est. of Raul Ruben Alvarez VIA Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Graciela Alvarez  Rio Grande City, TX 78582	Est. of Raul Ruben Alvarez VIA Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Raul Alvarez, Jr.  Rio Grande City, TX 78582	Est. of Raul Ruben Alvarez VIA Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Gerardo Alvarez  Mission, TX 78574	Est. of Raul Ruben Alvarez VIA Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Maria Alvarez Guerra  Rio Grande City, TX 78582	Est. of Raul Ruben Alvarez VIA Est. of Ofilia Gonzalez VIA Final Decree of Partition Document # 1936-4878 Recorded March 4, 1936 Deed Records of Starr County, Texas
Ameida Salinas Starr County Tax Assessor-Collector 100 N FM 3167, Room 201 Rio Grande City, Texas 78582	Tax Authority

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Roland D. Ramos, US Attorney's Office, SDTX
1701 W. Bus. Hwy 83 Suite 600
McAllen, TX 78501

DEFENDANTS

0.549 Acres of Land More or Less, Situate in Starr County, State of Texas; and Sabino Alvarez, Jr. et al.,

County of Residence of First Listed Defendant Starr
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ _____

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

09-24-2020

SIGNATURE OF ATTORNEY OF RECORD

/s/ Roland D. Ramos

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____